

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

CHRISTOPHER J. SHAW,)
CARLTON KIRKLAND, RASHAD)
HILL, SETH MOORE, JEROME)
DAVIS, and MICHAEL GREEN)

Plaintiffs,)

v.)

CV421-039

CHATHAM COUNTY)
DETENTION CENTER and)
SHERIFF JOHN WILCHER,)

Defendants.)

ORDER

Plaintiffs, six prisoners at the Chatham County Detention Center, have jointly brought this action challenging the conditions of their confinement.¹ Doc. 1. As incarcerated prisoners, the plaintiffs must abide by the requirements of the Prison Litigation Reform Act (PLRA). Pub. L.

¹ Plaintiffs have styled their complaint as a class action. The plaintiffs have not satisfied the requires for filing a class action. *See* Fed. R. Civ. P. 23. Furthermore, a *pro se* litigant is generally not entitled to proceed on behalf of a class without representation. *Wallace v. Smith*, 145 F. App'x 300, 302 (11th Cir. 2005) (*per curiam*) (affirming district court's dismissal brought by *pro se* litigant proceeding IFP). Therefore, the Court construes the plaintiffs as seeking permissive joinder of their claims. *See* Fed. R. Civ. P. 20.

No. 104-134, 110 Stat. 1321. The Eleventh Circuit has held that the PLRA requirement that “each prisoner pay the full filing fee” precludes permissive joinder of multiple plaintiffs in a single case. *Hubbard v. Haley*, 262 F.3d 1194, 1197–98 (11th Cir. 2001) (*citing* 28 U.S.C. § 1915(b), *cert. denied*, 534 U.S. 1136 (2002)); *see also* *Scott v. Strength*, 2006 WL 2327469 (S.D. Ga. Aug. 8, 2006). Therefore, the Clerk of Court is **DIRECTED** to **SEVER** plaintiffs Kirkland, Hill, Moore, Davis, and Green from this case and to initiate a new civil case for each plaintiff. Each plaintiff is **DIRECTED** to either remit the necessary filing fee or move to proceed *in forma pauperis* within 14 days of the creation of their respective case. The Clerk is further **DIRECTED** to forward to each plaintiff a copy of the Application to Proceed in District Court without Prepaying Fees or Costs (AO240).

SO ORDERED, this 10th day of February, 2021.

A handwritten signature in blue ink, reading "Christopher L. Ray", is written over a horizontal line.

CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA